

Notice of Allowability

Application No.

09/768,161

Examiner

John B Strege

Applicant(s)

LOCE ET AL.

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 10/8/04.
2. ☒ The allowed claim(s) is/are 1-33.
3. ☒ The drawings filed on 08 October 2004 and 08 June 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Response to Amendment

In response to the amendment received 10/8/04 all requested changes to the claims and specification have been entered.

Applicant's arguments, see pages 13-16, filed 10/8/04, with respect to claims 1-33 have been fully considered and are persuasive. The rejection of all the pending claims has been withdrawn.

Allowable Subject Matter

Claims 1-33 are allowed.

The following is an examiner's statement of reasons for allowance: Regarding claim 1 none of the prior art of record disclose comparing at least one image portion of an anti-aliased input image against one or more loose-templates to produce a comparison image where a loose-template is specifically defined in the specification as a template having a plurality of image elements that contain a range of values (see specification page 4 lines 1-10). As stated in the previous Office Action Donnelly et al. USPN 6,002,800 discloses using a template that has a plurality of values (paragraph bridging cols. 14-15). However Donnelly does not explicitly disclose that the incoming cell data is that of an anti-aliased image. It would seem obvious that Donnelly could incorporate an antialiased image as the input image since it is disclosed that the invention is useful with a color laser copier system capable of scanning an input image to a very high resolution (col. 4 lines 11-25) and an antialiased image is a type of high quality image. However the examiner lacks evidence to make a prima facie case of obviousness as it is not disclosed that an antialiased image may be used. Furthermore

Art Unit: 2625

Donelly does not explicitly disclose producing a comparison image or processing the comparison image. Smith USPN 5,444,552 discloses processing an antialiased image (see col. 5, lines 20-35, the image 20, Fig. 4a antialiased image) however there is no motivation to combine Smith with Donelly. Thus claim 1 is allowable as well as its dependent claims 2-4, 8-13, 26-28,32. Claims 5-7, and 18-20 were indicated as allowable in a previous office action. Claim 14 is similar to claim 1 thus it is allowable for the same reasons as well as its dependent claims 15-17, 21-23, 29-31, and 33. Claims 24-25 are similar to claim 1 thus are allowable for the same reasons given for claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

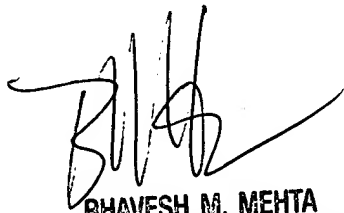
Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B Strege whose telephone number is (571) 272-7457. The examiner can normally be reached on Monday-Friday between the hours of 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (571) 272-7453. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JS



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